

QCAT

Queensland **Civil and Administrative Tribunal**

Annual report 2011-12

About our annual report

The Queensland Civil and Administrative Tribunal's annual report summarises its financial and corporate performance for 2011-12 and meets accountability requirements under the *Queensland Civil and Administrative Tribunal Act 2009*.

This annual report can be accessed online at <http://www.qcat.qld.gov.au/about-qcat/publications/qcat-annual-report-2011-12>.

ISSN 1838-2746.

© The State of Queensland (Queensland Civil and Administrative Tribunal) 2012.

This annual report is licenced by the State of Queensland (Queensland Civil and Administrative Tribunal) under a Creative Commons Attribution (CC BY) 3.0 Australia licence, available at <http://creativecommons.org/licences/by/3.0/au/deed.en>.

Content from this report may be adapted and copied for use, and attributed to The State of Queensland (Queensland Civil and Administrative Tribunal) annual report 2011-12.

Contact us

Web: www.qcat.qld.gov.au
Phone: 1300 753 228
Email: enquiries@qcat.qld.gov.au
In person: Level 9, 259 Queen Street, Brisbane
Post: GPO Box 1639, Brisbane 4001

Interpreter services



The Queensland Government is committed to providing accessible services to Queenslanders from all culturally and linguistically diverse backgrounds. If you have difficulty in understanding the annual report, you can contact us on 1300 753 228 and we will arrange an interpreter to effectively communicate the report to you.

28 September 2012

The Honourable Jarrod Bleijie MP
Attorney-General and Minister for Justice
State Law Building
Brisbane Qld 4000

Dear Attorney


I am pleased to present the Annual Report 2011-12 for the Queensland Civil and Administrative Tribunal (QCAT).

I certify that this annual report complies with:

- the Queensland Civil and Administrative Tribunal's requirements under the *Queensland Civil and Administrative Tribunal Act 2009*
- the detailed requirements set out in the *Annual report requirements for Queensland Government agencies*.

A checklist outlining the annual reporting requirements can be accessed at <http://www.qcat.qld.gov.au/about-qcat/publications/qcat-annual-report-2011-12>.

Yours sincerely



Justice Alan Wilson
President

Table of contents

Message from the President	5
Message from the Executive Director	8
Getting Queensland back on track	10
Our achievements and priorities	11
Our year	13
About us	15
Our members and adjudicators	17
How we resolve disputes	19
The QCAT registry	20
Alternative Dispute Resolution (ADR) division	21
Civil, Administrative and Disciplinary (CAD) division	22
Human rights division (HuRD)	25
Minor civil disputes	29
Operations Support	31
Client Services	32
Making connections	33
Our governance	35
Our financial performance	37
Glossary and abbreviations	38
Appendix 1 – Member appointments	40

List of figures

Figure 1: QCAT organisational structure 2011-12	16
Figure 2: The QCAT process from application to resolution	19

List of tables

Table 1: Lodgements, finalisations, pending cases and clearance rates 2009-10 and 2011-12	13
Table 2: Lodgements and clearance rates 2010-11 and 2011-12	13
Table 3: Mediation settlement rates 2011-12	14
Table 4: Two-year financial summary	14
Table 5: Human rights lodgements and clearance rates 2010-11 and 2011-12	26
Table 6: Type and number of limitation orders 2011-12	26
Table 7: Guardians for restrictive practices finalised applications 2011-12	26
Table 8: Containment, seclusion and other restrictive practice approvals 2011-12	27
Table 9: Positive behaviour support plan compliance checks 2011-12	27
Table 10: 2011-12 QCAT financial statement	37

Message from the President

In its third year QCAT has cemented its position as a tribunal providing accessible, quick and inexpensive dispute resolution to Queenslanders across a wide range of jurisdictions.

From minor civil disputes to the protection of the elderly, from anti-discrimination to building cases, from the professional discipline of vocations as diverse as teachers, lawyers, doctors, nurses and police officers, to the proper care of children, the tribunal provides expert members and adjudicators using modern dispute resolution techniques effectively and inventively, to meet its statutory responsibility to be quick, economical, accessible, fair and just.

As the figures in this report show the tribunal has more than met its statistical goals and continues to use and develop skills and techniques in alternative dispute resolution (ADR) – mediation, and compulsory conferences – in line with the clear requirements of its governing legislation, the *Queensland Civil and Administrative Tribunal Act 2009*.

In April this year I attended the world's largest international conference on ADR to learn new techniques and, also, to see where QCAT stood in the international pantheon of ADR.

It was pleasing to observe that, with its extensive use of compulsory conferences involving ADR in all jurisdictions and the introduction of new techniques like 'hybrid hearings', QCAT is in the vanguard of the modern effective use of mediation as a means of helping citizens, institutions and government to achieve consensual and therefore faster, less expensive and less divisive solutions to disputes.

The process of reappointing or replacing QCAT's hundred or so sessional (part-time) members in November 2011 allowed the tribunal to balance its membership throughout Queensland, to reflect this emphasis on ADR skills and, also, to more effectively reflect the demographic balance within the State. We now have skilled members in all large population centres who are experienced and trained in helping Queenslanders resolve their disputes with each other, and with a range of government, statutory and professional bodies and institutions.

That said, financial constraints upon funds available to engage these sessional members toward the latter part of the financial year placed regrettable constraints upon the effective use of their services. I was grateful when the new government quickly provided additional funds to address this shortfall, allowing almost 100 extra sitting days to occur in May and June 2012.

Our regional presence also remains strong because of the significant and valuable role played by the Magistrates Court in delivering tribunal services throughout Queensland. I am also grateful to Magistrates who, outside South East Queensland, provide speedy and effective justice in the minor civil disputes jurisdiction.

QCAT's ongoing commitment to innovation is reflected in the development and growth of a number of initiatives in the past year including the increasing use of hybrid hearings, hospital hearings and the introduction of trained arborists as assessors in tree disputes.

The hybrid hearing process combines a hearing with an ADR process, and provides parties with an additional opportunity to reach their own agreement rather than have one imposed by the tribunal. Trials of the technique, in a variety of jurisdictions, have been encouraging and have proved popular. Its use presents, in particular, an opportunity in challenging jurisdictions like building to help parties reach quick resolutions before the potential for cost and delay, inherent in the proceedings themselves, polarises parties and increasingly militates against the chance of speedy, inexpensive resolution.

The award-winning hospital hearings project was initiated to deliver on-site guardianship hearings at a number of Queensland Health facilities in South East Queensland. This initiative has resulted in reduced waiting times for vulnerable adults and has been positively received by the community.

QCAT also introduced the on-site assessment of tree dispute issues by trained tree assessors. This innovative dispute resolution tool acknowledges the value of expert, local knowledge in local decisions, and provides an additional opportunity for the assessor to facilitate on-site dispute resolution.

The tribunal farewelled its first Deputy President, Judge Fleur Kingham, at the end of July 2012. From her appointment in July 2009 Judge Kingham made a valuable contribution through her conduct and management of the busy health discipline jurisdictions; championing the development of the member appraisal and mentoring programs; her commitment to training and education of members and adjudicators; contribution to the development of scheduling protocols for sessional members; and assistance in alleviating the administrative workload of the President.

It was Judge Kingham who introduced the term 'actively fair' to describe the unique way the tribunal strives to perform its work, with its strong focus upon the combined use of active case management and alternative dispute resolution. This approach has been central to, and the guiding principle of, QCAT and the phrase she coined is a continuing testament to her invaluable contribution. Her work, energy, enthusiasm, determination and dedication were all vital to the successful creation, growth and development of QCAT.

The tribunal also farewelled one of its inaugural senior members, Ms Susan Booth, who left to take up a position at Fair Work Australia. Ms Booth had carriage of the work in the QCAT review and disciplinary jurisdictions, and was instrumental in developing and establishing new tribunal practices and procedures. Her departure necessitated a realignment of responsibilities amongst the tribunal's four senior members.

The tribunal faces a number of challenges in the coming year as it strives for the continuous improvement of its services, and to meet government commitments to introduce reforms to Queensland's justice system and improve frontline justice services.

As part of these commitments QCAT will undertake extensive planning to develop a staged and evaluated trial of suitably qualified and experienced Justices of the Peace (Magistrates Court) be trained to hear some minor civil dispute matters before the tribunal. This trial will free up Magistrates and QCAT adjudicators to deal with more complex matters.

This is a major and challenging reform which builds on the success of QCAT to date in providing an integrated tribunal for the resolution of a wide range of disputes. It is

envisaged that JPs will be legally qualified; have some familiarity with the courts and tribunals system in Queensland; and have some practical experience with adjudication/dispute resolution systems in Queensland.

With the steady growth in its workload and the regular addition of new jurisdictions, in circumstances where finances are tight and likely to remain so, QCAT's third year has seen a continuation of the circumstances which attended its inception, and its first years: a high and increasing work load, with steadily growing demands upon members and staff. QCAT has had, at all levels, to be alert, lively, and inventive to ensure it meets its statutory imperatives.

The tribunal has only been able to continue to provide its services at a high standard because of the hard work and dedication of its senior members, members, adjudicators, sessional members, and the Executive Director, Principal Registrar and their staff.

Our members and adjudicators have been energetic and inventive in finding new and effective ways to advance the tribunal's 'actively fair' approach to dispute resolution and, after three years, developed skills in ADR and adjudication of steadily improving calibre. In doing so they have also supported the Deputy President and me in a lively and collegiate way, for which I am grateful.

In a similar vein, the hard work of registry staff and the dedication they have shown to the growth and improvement of the tribunal is creditable to them and to their leaders. I know that they have had to struggle with diminished staff numbers, and strained resources, to provide timely and effective services to QCAT's many thousands of clients and to support the members and adjudicators in their work. Again, it is timely to express my gratitude.

It is also timely to reiterate messages from previous years that, without adequate resourcing for the tribunal registry, members and adjudicators cannot be effectively utilised. A lack of adequate funding will inevitably have adverse effects upon the ability of QCAT to function effectively and to delivery accessible, quick and inexpensive dispute resolution.

Justice Alan Wilson
President
September 2012

Message from the Executive Director

This has been a year of continued growth for the tribunal which has delivered both challenge and opportunity.

Once again the commitment of registry staff and tribunal members and adjudicators has been reflected in the delivery of a 96 per cent clearance rate.

The commitment of the registry to high level service delivery is also reflected in this year's client and stakeholder satisfaction results. Despite resourcing constraints and financial challenges, client satisfaction rose by 4 per cent to 71 per cent and increased across all categories: being treated with courtesy and respect; prompt responses; QCAT being easy to access; the level of staff knowledge and advice; satisfaction with the outcome; and overall experience of clients. The stakeholder satisfaction rating of 67 per cent reflects the work of the tribunal in engaging with stakeholders in key jurisdictions.

Our delivery of high level client service is reflected in our complaints in 2011-12; 0.7 per cent of total applications. This is a positive result given that many clients are involved in adversarial proceedings and may not agree with the outcome if it is not in their favour.

The introduction of the *Neighbourhood Dispute Resolution Act 2011* was both a major challenge and achievement for QCAT. Implementing this jurisdiction required an effort across nearly all QCAT teams and significant collaboration with DJAG and external stakeholders to deliver client education, accessible processes and comprehensive stakeholder consultation and engagement. We have effectively utilised internal expertise to address potential issues. When search requests of the QCAT register of proceedings (primarily from conveyancing firms) created an unexpected demand on resources, we created an internal IT solution to effectively manage search requests in a timely manner with minimal impact on the client services area.

Identifying cost-effective solutions is a hallmark of the registry's approach to potential issues and challenges. This year we have continued our program to train existing suitably qualified staff as mediators, which has resulted in the use of in-house mediators to reduce waiting times for clients in dispute.

Our commitment to both collaboration and innovation has been recognised again in August 2012 for work completed in the 2011-12 reporting period. QCAT received two awards at the DJAG Staff Excellence Awards: a shared award in the Commitment to Purpose category as part of the DJAG team who delivered a series of community information sessions throughout Queensland on new neighbourhood dispute resolution laws; and in the Commitment to Partnership category for the hospital hearings project. This project has taken hearings on-site through several Queensland Health facilities, resulting in reduced waiting times and better outcomes for vulnerable clients.

These awards reflect the hard work, innovation and commitment of staff and members.

We have also faced the challenge of a busy building jurisdiction. While clearance rates in the building jurisdiction are 93 per cent for this reporting period, this year QCAT established a working group to promote continuous improvement in resolving building disputes, a role which will continue in the coming year.

QCAT faces another year of challenge in 2012-13 as we support the government commitment to trial the use of suitably qualified and experienced Justices of the Peace (Magistrates Court) to hear some minor civil disputes within QCAT.

The trial also provides the opportunity to review existing client communication and education materials to ensure the community has access to suitable information on how to effectively represent themselves at the tribunal and awareness of their right to a fair hearing.

Ongoing improvement to client service is the cornerstone of many of our priorities for the coming year including exploring opportunities for electronic lodgement options; a review of the minor civil dispute jurisdiction including application forms; an expansion of the award-winning hospital hearings project; improvements to online useability; and improving settlement rates through mediation and compulsory conferences.

In support of our commitment to clients we will continue to evaluate our priorities and assess our performance using the Tribunal Excellence Framework; engage with key stakeholders; and maintain timely, accurate and responsive service delivery.

Congratulations to everyone who has contributed to again delivering quality tribunal services to the Queensland community.

Mary Shortland
Executive Director
September 2012

Getting Queensland back on track

QCAT is committed to *Getting Queensland back on track* through support of the Queensland Government's statement of objective for the community.

In keeping with the Queensland Government's commitment to provide low-cost services to the community, the services provided by QCAT are cost-effective, efficient, diverse and flexible to changing community and government requirements.

QCAT services contribute directly to the ethos of the Four Pillar Economy to cut red tape and regulation by providing a single recognisable entry point for the community for a wide range of disputes.

QCAT also plays a specific role in the construction pillar, through its jurisdiction over building, real-estate and body corporate disputes.

Our achievements and priorities

Our key achievements in 2011-12:

- overall clearance rate of 96 per cent against an 85 per cent target
- clearance rates above 90 per cent across anti-discrimination; children and young people; guardianship and administration for adults; building; minor civil dispute; and appeal jurisdictions
- overall client satisfaction rating of 71 per cent (an increase of 4 per cent from 2011) and stakeholder satisfaction rating of 67 per cent
- introduction of the Hospital Hearings project to deliver on-site hearings at a number of Queensland Health facilities in South East Queensland resulting in a reduced waiting times for vulnerable adults
- implementation of the *Neighbourhood Dispute Resolution Act 2011* jurisdiction from 1 November 2011
- a continuing commitment to providing alternative methods of dispute resolution through trial program of hybrid hearings which provide additional opportunities for parties to negotiate a shared agreement
- resolution of almost half of issues raised in compulsory conferences without the need to proceed to a tribunal hearing
- over 1,000,000 visits to the QCAT website
- recruitment of sessional members in key regional areas
- establishment of performance assessment against the Tribunal Excellence Framework
- in-house training for staff mediators.

Our priorities for 2012-13:

- plan for the implementation of a trial program to have suitably qualified and experienced Justices of the Peace (Magistrates Court) hear some minor civil dispute matters before QCAT
- deliver ongoing client engagement initiatives and activities to improve accessibility to information and services including expansion of the hospital hearings program; improved online useability; targeted communication materials to enhance self-representation; and continuous improvement of client materials and information including application forms
- maintain a commitment to continuous improvement of alternative dispute resolution (ADR) techniques to improve settlement rates through mediation and compulsory conference proceedings
- engage with stakeholders in key jurisdictions including the Queensland Building Services Authority (QBSA) to deliver timely and cost-effective dispute resolution; the Residential Tenancies Authority (RTA) to deliver a seamless application process; and legal and advocacy organisations to ensure clients are supported throughout the process
- explore electronic lodgement possibilities to improve client service efficiency and reduce costs
- undertake further performance assessment against the Tribunal Excellence Framework
- ongoing staff, member and adjudicator education and training to maintain high level client and stakeholder satisfaction through timely, accurate and responsive service delivery
- three-year review of QCAT as provided for in the QCAT Act
- review of the minor civil dispute jurisdiction including application forms.

Our year

Our workload and outcomes*

	2009-10	2010-11	2011-12
Cases lodged	28,227	30,032	29,832
Cases finalised	28,222	28,177	28,559
Cases pending	5,019	6,874	8,147
Overall clearance rate	100%	94%	96%

Table 1: Lodgements, finalisations, pending cases and clearance rate 2009-10, 2010-11 and 2011-12

**Previous year's figures adjusted to reflect amendments to finalisations.*

Outcomes by jurisdiction

	Lodgements		Clearance rates	
	2010-11	2011-12	2010-11	2011-12
Human rights				
Anti-discrimination	151	147	60%	110%
Children	219	236	87%	111%
Guardianship	9,874	9701	92%	101%
Civil				
Building	422	409	103%	93%
Retail shop leases	125	151	94%	73%
Minor civil disputes	17,871	17,414	91%	95%
Other civil disputes	204	138	89%	100%
Administrative and Disciplinary				
General administrative review	386	452	94%	89%
Occupational regulation	285	408	117%	80%
Appeals, reopenings and renewals				
Appeals	460	454	77%	91%
Reopenings	28	15	82%	120%
Renewals	5	1	100%	300%

Table 2: Lodgements and clearance rates 2010-11 and 2011-12

Alternative dispute resolution settlements

	2008-09	2009-10	2010-11	2011-12
Mediation settlement rate in minor civil disputes*	N/A	46%	46%	45%
Mediation settlement rate in non-minor civil disputes	N/A	68%	60%	62%

Table 3: Mediation settlement rates 2010-11 and 2011-12

* Matters mediated by the Department of Justice and Attorney-General's Dispute Resolution Branch on behalf of QCAT.

Two-year financial summary

	2010-11 (12 months \$m)	2011-12 (12 months \$m)
Income		
Appropriations	15.7	16.2
User charges	3.0	2.8
Total income	18.7	19.0
Expenditure		
Salaries to staff	8.6	9.2
Member costs	6.2	5.8
Property costs	2.3	2.8
Overheads	1.7	1.2
Total expenditure	18.8	19.0

Table 4: Two-year financial summary

About us



The Queensland Civil and Administrative Tribunal (QCAT) is established under the *Queensland Civil and Administrative Tribunal Act 2009*.

The tribunal began operations on 1 December 2009, amalgamating 18 tribunals and 23 jurisdictions into one tribunal.

QCAT operates as a tribunal, not a court, and in keeping with statutory requirements acts with as little formality and technicality as possible.

Our vision

Actively resolve disputes in a way that is fair, just, accessible, quick and inexpensive.

What we do

QCAT makes decisions on a range of jurisdictions including:

- anti-discrimination matters
- building disputes
- children and young people matters
- guardianship and administration for adults
- minor civil disputes including consumer, debt and residential tenancy disputes
- other civil disputes
- occupational regulation matters including police and health professionals
- retail shop lease disputes
- tree disputes.

QCAT also reviews decisions made by government agencies and statutory authorities (review decisions).

In certain circumstances, the Appeal Tribunal of QCAT hears appeals against decisions of the tribunal.

Our clients

Our clients include the Queensland community, Queensland Government departments and agencies and representatives of tribunal users. Due to QCAT's wide-ranging jurisdictions, the tribunal can affect many aspects of the Queensland community.

Our regional services

QCAT services are delivered throughout the State in conjunction with the Magistrates Court. Approximately half of matters are heard outside of Brisbane either by magistrates hearing QCAT minor civil disputes or regular hearings by QCAT members.

Our organisational structure

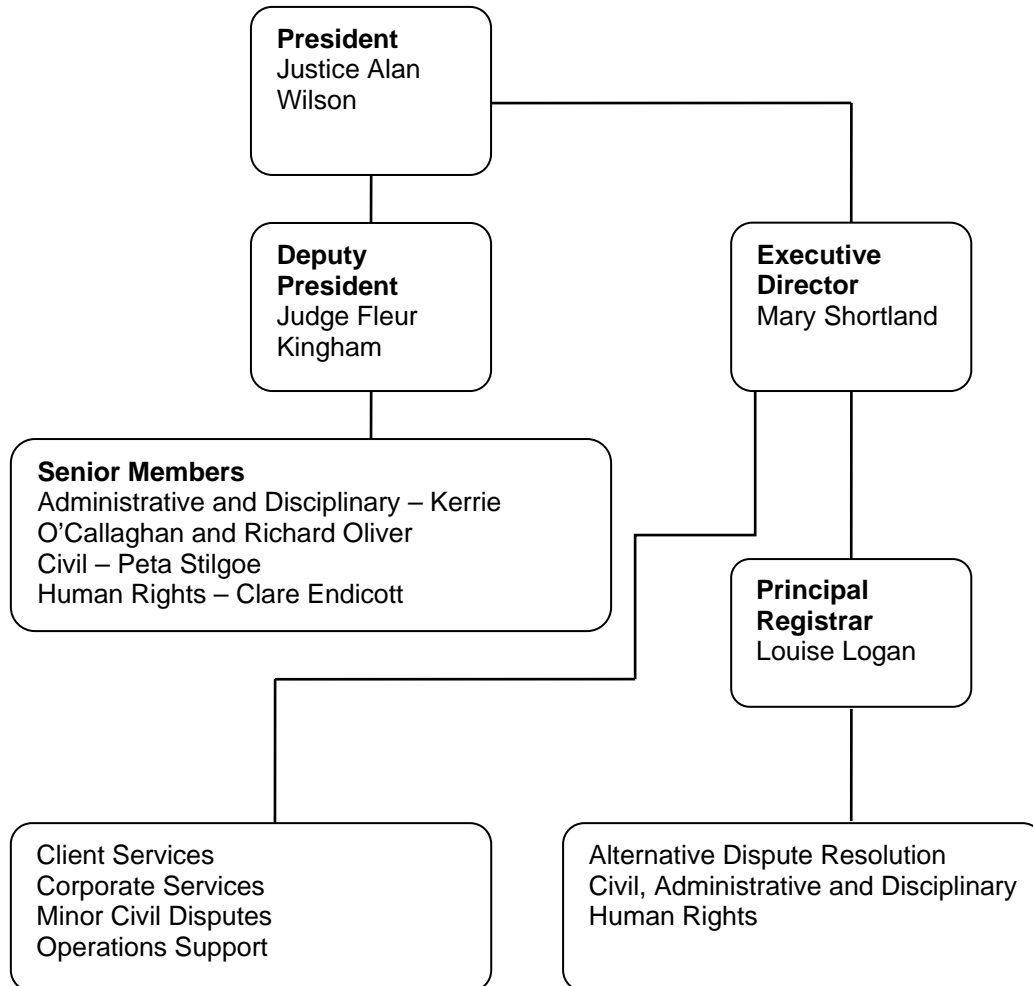


Figure 1: QCAT organisational structure 2011-12

Our members and adjudicators

Justice Alan Wilson, President

The appointed President must be a Supreme Court judge who is recommended for appointment by the Attorney-General after consultation with the Chief Justice. The President holds office for the period of at least three years but not more than five years.

Justice Alan Wilson was admitted as a barrister in 1982 and practiced at the Bar until 2001. In the latter part of his career he undertook a great deal of mediation work and is an active proponent of its benefits.

Justice Wilson was appointed Senior Counsel in 1999 and to the District Court of Queensland in 2001. He was also appointed a Planning and Environment Court Judge in 2001 and a Children's Court Judge in 2003. He transferred to Brisbane in January 2004 and managed the lists of the Planning and Environment Court from 2004 to 2008.

Justice Wilson was simultaneously appointed to the Supreme Court and as the inaugural President of QCAT in October 2009.

Judge Fleur Kingham, Deputy President

The Deputy President must be a District Court judge recommended for appointment by the Minister after consultation with the Chief Judge. The Deputy President holds office for the period of at least three years but not more than five years.

Judge Fleur Kingham is a judge of the District Court of Queensland, the Children's Court of Queensland and the Planning and Environment Court of Queensland. Prior to those appointments in 2006 she was the Deputy President of the Land and Resources Tribunal of Queensland.

Judge Kingham was appointed as Deputy President of QCAT in July 2009.

Senior members

A person is eligible for appointment as a senior member only if the person:

- *is an Australian lawyer of at least eight years standing, or*
- *has in the Minister's opinion extensive knowledge, expertise or experience relating to a class of matter for which functions may be exercised by the tribunal.*

As at 30 June 2012 QCAT had four appointed senior members:

- Susan Booth – Civil (from 1/7/2011 – 2/10/2011)
- Clare Endicott – Human Rights
- Kerrie O'Callaghan – Administrative and Disciplinary
- Richard Oliver – Civil (including appeals)
- Peta Stilgoe – Civil (from 3/1/2012 – current).

Senior member appointments – See Appendix 1.

Members

Members must be recommended for appointment by the Minister after advertisement of the vacancy and consultation with the President. A person is eligible for appointment as an ordinary member only if the person is an Australian lawyer of at least six years standing, or has in the Minister's opinion special knowledge, expertise or experience relating to a class of matter for which functions may be exercised by the tribunal. A senior member or ordinary member holds office for the period of at least three years but not more than five years.

As at 30 June 2012, QCAT had nine ordinary members with two of these ordinary members working part-time.

Member appointments – See Appendix 1.

Sessional members

As at the 30 June 2012 QCAT had 98 appointed sessional members including seven sessional members who are appointed concurrently as part-time adjudicators.

Sessional member appointments – See Appendix 1.

Adjudicators

A person is eligible for appointment as an adjudicator only if the person is an Australian lawyer of at least 5 years standing. An adjudicator holds office for the period of at least three years but not more than five years.

As at 30 June 2012, QCAT has 11 appointed adjudicators (eight of whom are appointed on a part-time basis).

Adjudicator appointments – see Appendix 1.

Tree assessors

QCAT appointed tree assessors from 1 November 2011 in line with the commencement of the *Neighbourhood Disputes Resolution Act 2011*. Sixteen trained arborists were appointed on a casual basis throughout Queensland including Cairns, Hervey Bay, Gold Coast, Rockhampton, South East Queensland and Townsville.

Assessors may conduct on-site assessment of tree issues; provide written reports to the tribunal; and give expert evidence in a proceeding.

How we resolve disputes

The QCAT dispute resolution process is based on active case management to achieve our vision to *actively resolve disputes in a way that is fair, just, accessible, quick and inexpensive*.

As outlined in Figure 2, the progress of an application in the tribunal depends on the type of matter.

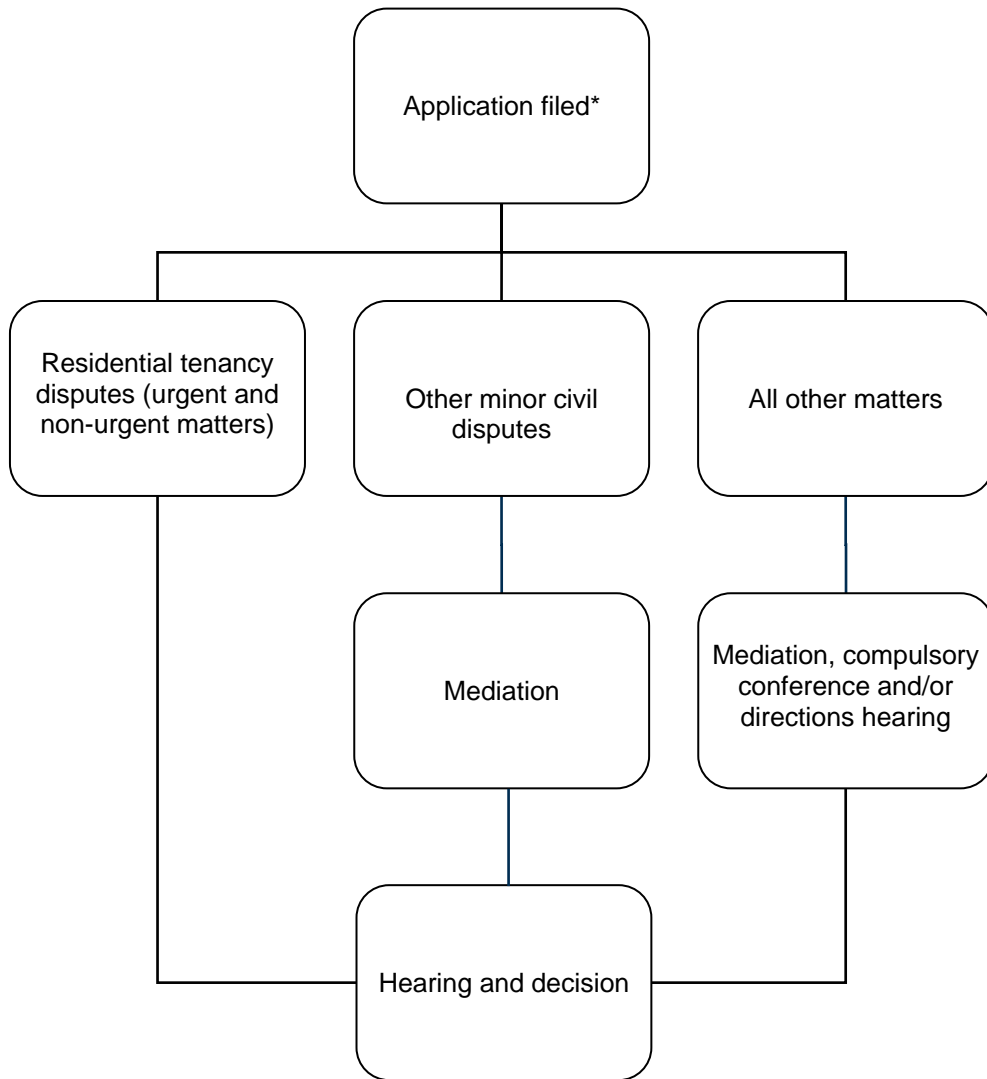


Figure 2: The QCAT process from application to resolution

** For urgent residential tenancy matters (as defined under the Residential Tenancies and Rooming Accommodation Act 2008), clients may apply directly to the tribunal. For all other residential tenancy matters, clients must contact the Residential Tenancies Authority and participate in their dispute resolution process before an application to the tribunal will be accepted.*

The QCAT registry

Our staff and structure

QCAT registry staff work with members, adjudicators and Magistrates Courts staff to deliver tribunal services across Queensland.

The QCAT registry comprises the following divisions:

- Alternative Dispute Resolution (ADR)
- Civil, Administrative and Disciplinary
- Human Rights
- Client Services (incorporating Minor Civil Disputes)
- Operations Support
- Corporate Services.

Our workforce

As at 30 June 2012, the QCAT registry has 110 permanent employees and 12 trainee staff. An additional four trainees completed Certificate III in Business Administration during 2011-12.

Of the 110 staff, 16 are employed on part-time arrangements. During this reporting period, there has been an 8 per cent permanent separation rate.

As at the 30 June 2012 QCAT had not awarded any early retirement, redundancy or retrenchment packages in 2011-12.

Governance operations

List of consultants Nil

Cost of overseas travel Nil

Alternative Dispute Resolution division

The Alternative Dispute Resolution (ADR) division coordinates the delivery of mediation services for minor civil disputes via internal mediators and the Dispute Resolution Branch of the Department of Justice and Attorney-General.

Mediation is a key element of the QCAT dispute resolution process. Mediation can provide parties with a quick, informal, fair and cost effective resolution of disputes.

Our year

In 2011-12 the Alternative Dispute Resolution (ADR) division:

- delivered a settlement rate of 45 per cent for mediation of minor civil dispute matters
- supported the delivery of a 62 per cent settlement rate for mediation of non-minor civil dispute matters
- coordinated mediation training for members and staff
- delivered mediation of dividing fencing disputes filed throughout Queensland under the *Neighbourhood Disputes Resolution Act 2011*
- coordinated the decentralisation of mediations to local courts in Caboolture, Ipswich, Nambour and Sandgate to reduce client waiting and travel times
- successfully implemented a text messages reminder system to improve mediation attendance
- developed client communication materials to raise awareness of the mediation process.

Making connections

The ADR division continued to build a productive relationship with the Department of Justice and Attorney-General's Dispute Resolution Branch (DRB) who mediate matters on behalf of QCAT. This is now formalised with a service level agreement outlining the mutual obligations of QCAT and DRB around delivery of mediation services for minor civil disputes (MCDs) across Queensland.

Looking forward

The 2012-13 focus for the ADR division includes:

- further embedding ADR processes throughout QCAT to ensure client access to effective dispute resolution
- improving access to ADR through the ongoing decentralisation of mediations in South East Queensland to local courts
- ongoing training and National Mediator Accreditation of QCAT mediators
- improving access to information for clients to assist in preparing for mediation to improve outcomes for all parties.
- exploring opportunities to improve the ADR process for parties to ensure a quick and informal process for the resolution of disputes.

Civil, Administrative and Disciplinary division

The Civil, Administrative and Disciplinary (CAD) division manages matters across:

- appeals
- body corporate and community management
- child care
- commercial and domestic building disputes
- community services
- disability services
- fisheries
- independent assessment - *Prostitution Act 1999*
- liquor reviews
- local government levee bank
- manufactured homes
- occupational regulation and disciplinary matters including teachers, health professionals and legal practitioners
- retail shop leases
- retirement villages
- right to information
- taxation
- transport
- tree disputes
- victims of crime
- weapons.

Our year

In 2011-12 key achievements of the Civil, Administrative and Disciplinary (CAD) division included:

- delivery of an overall clearance rate of 87 per cent
- delivery of a 93 per cent clearance rate for the building jurisdiction
- successful implementation of new *Neighbourhood Dispute Resolution Act 2011* concerning tree disputes (see page 21)
- establishment of a building jurisdiction working group to promote continuous improvement in resolving building disputes.

There have been significant increase in administrative review (17 per cent) and occupational regulation (44 per cent) applications in 2011-12. Applications to review administrative decisions have overtaken the building list as the largest list in this division.

Neighbourhood dispute resolution

The *Neighbourhood Dispute Resolution Act 2011* commenced on 1 November 2011. QCAT undertook a number of activities to ensure accessibility of information for clients and stakeholders including participation in community information sessions throughout Queensland; undertaking extensive stakeholder consultation; and providing online content, forms, application checklists, fact sheets and frequently asked questions for the community.

QCAT also introduced the on-site assessment of tree dispute issues by trained tree assessors. This innovative dispute resolution tool acknowledges the value of local knowledge in local decisions, and provides an additional opportunity for the assessor to facilitate on-site dispute resolution.

Making connections

The division continued to build and maintain strong relationships through meetings and other engagement with key stakeholders across diverse jurisdictions including:

- government agencies such as the Australian Health Practitioners Regulatory Authority, Building Services Authority, Crime and Misconduct Commission, Legal Services Commissioner, Queensland College of Teachers, Queensland Police Service and Racing Queensland
- non-government authorities representing interest groups such as the Queensland Police Union and legal and advocacy bodies such as the Queensland Public Interest Law Clearing House (QPILCH).

Looking forward

In 2012-13 the focus for the CAD division will include:

- ongoing review of case management processes to ensure parties are offered dispute resolution opportunities at an early stage
- continued trial of the hybrid hearing process to encourage parties to reach their own agreements rather than have one imposed by the tribunal
- ongoing review and implementation of activities to encourage timely dispute resolution in the building jurisdiction including assisting parties to provide relevant information to progress the matter and providing early opportunities for a range of dispute resolution options
- continuation of the building dispute working group to address issues within the jurisdiction.

QCAT in action: Is a tree in the tribunal's jurisdiction?

An application was filed by the Windsors against their neighbours the Stewarts seeking orders that a tree located on the Stewart's property be removed or pruned.

The local Council were advised of the application and indicated that they would like to appear in the proceedings, as they are entitled to do under section 64 of the *Neighbourhood Disputes Resolution Act 2011* (the Act). The Council advised the tribunal that the tree was required to be retained as a condition of a development permit.

Under the Act, the legislation does not apply to trees maintained under this condition. The tribunal determined that it had no jurisdiction to make an order regarding the tree and the application was dismissed.

QCAT in action: Understanding the terms of an agreement

Maria is a 74 year old woman who lived in a manufactured home in a residential park for over 20 years. The company that owned the park wanted to evict Maria and remove her manufactured home.

At a compulsory conference, the parties negotiated an agreement that Maria would relocate her home to another residential park, with all expenses paid by the company.

Maria moved her home into the new park but the local council refused to give final building approval until Maria installed a water tank and energy efficient hot water system costing \$6,347.00.

The company objected to the extra payment. Maria was served with an eviction notice by the local council and faced homelessness.

The tribunal determined that the terms of the agreement bound the company to obtain final building approval, meaning it was the company's responsibility, not Maria's, to arrange the installation of the water tank and hot water system.

Human Rights division

The Human Rights division (HuRD) manages:

- guardianship and administration for adults
- anti-discrimination
- children and young people matters
- education matters.

Our year

Key achievements of the Human Rights division (HuRD) in 2011-12 included:

- delivery of an average clearance rate of 104 per cent
- introduction of a trial of hospital hearings in Queensland Health facilities, resulting in reduced waiting times for vulnerable adults
- introduction of new processes to reduce compliance obligations on private administrators for adults and support family members caring for vulnerable adults.

The 2 per cent reduction in guardianship and administration applications reflects a reduction in procedural requirements for appointed administrators. In real terms, there has been a 5 per cent increase in new applications which reflects the growing demand in this jurisdiction.

A 7 per cent increase in lodgements for children and young people matters has been managed effectively through improved case management procedures, ongoing client education and the development of appropriate client service standards.

Making connections

The division provides services to vulnerable and disadvantaged members of society including children, adults with impaired capacity and people alleging discrimination, harassment, vilification and victimisation.

As part of an active case management approach, the division engages with families, carers and support people as well as government and non-government organisations to ensure the best possible outcomes for clients and the community.

The division has met regularly with key stakeholders in the human rights sector including the Department of Communities (Child Safety), the Commission for Children and Young People and Child Guardian, Anti-Discrimination Commission Queensland and a range of stakeholders in the guardianship sector. These meetings provide an opportunity to share information about developments and issues in the sector and improve processes between QCAT and key government stakeholders.

Looking forward

In 2012-13 the division will focus on:

- expansion of the hospital hearing pilot to ensure accessibility for the community
- monitoring rising applications in children's' list matters, particularly child protection, as a result of increase in publicity in this sector due to government inquiry
- participation in strategies, reviews and forums including the Positively Ageless Strategy, Queensland and the Law Reform Commission review of the legislation relating to substitute decision-making and the Prevention of Elder Abuse initiatives
- continuous improvement of client service standards across all human rights jurisdictions.

The division will continue to monitor jurisdictions with the potential for growth, particularly guardianship and administration for adults which is influenced by an ageing population.

HuRD facts and figures

Table 5: Human rights lodgements and clearance rates 2010-11 and 2011-12

	Lodgements		Clearance rates	
	2010-11	2011-12	2010-11	2011-12
Human rights				
Anti-discrimination	151	147	60%	110%
Children	219	236	87%	111%
Guardianship	9,874	9701	92%	101%

Table 6: Type and number of limitation orders made 1 July 2011 – 30 June 2012

Limitation order type	Number made
Adult evidence order	1
Closure order	2
Non-publication order	1
Confidentiality order	20
Total applications received	38

Table 7: Guardians for restrictive practices finalised applications 1 July 2011 – 30 June 2012

	Order made	Order renewed and varied	Dismissed / revoked	Deceased	Administrative closure	Withdrawn at hearing	Total
Guardianship for restrictive practice	84	0	6	0	1	18	109
Review of guardianship for restrictive practice	384	7	63	2	3	0	459

Table 8: Containment, seclusion and other restrictive practices approvals made 1 July 2011 – 30 June 2012

	Approved	Dismissed /Revoked	Deceased	Withdrawn/ administrative closure	Total
Containment	10	0	0	1	11
Review of containment	42	7	0	3	52
Seclusion	12	0	0	2	14
Review of seclusion	43	6	0	1	50
Application for another restrictive practice	10	0	0	2	12
Review of application for another restrictive practice	49	10	0	1	60

Table 9: Positive behaviour support plan compliance checks made 1 July 2011 – 30 June 2012

Plans checked	Compliant	Not compliant
15	15	0

QCAT in action: A fair go in anti-discrimination

A series of referrals were received by QCAT from the Anti-Discrimination Commission Queensland following complaints from George that he had been discriminated against due to his race while in gaol. The referrals were received on a rolling basis and the number of respondents continued to increase.

QCAT engaged translation and interpreter services to ensure George understood the process. QCAT decided to hear all matters together in order to reduce the timeframe for dealing with the referrals for the client.

During the proceedings, it became evident that George was experiencing difficulty in lodging his claims which was resulting in delays. QCAT listed the matters for a directions hearing to provide the parties an opportunity to make submissions on how best to hear the complaints.

It was during this process that the parties, with assistance from QCAT, resolved the complaints. The flexible and proactive approach adopted by QCAT in these matters echoes QCAT's vision of actively resolve disputes in a way that is fair, just, accessible, quick and inexpensive.

QCAT in action: Working together to ensure wellbeing

Peter is 89 year old man residing in his own home. Peter does not have any immediate family or friends who can provide support and he is proud of his independence.

Following concern about his welfare, the Office of the Adult Guardian established Peter was at imminent risk of losing his home due to an outstanding debt.

The Adult Guardian lodged an application with QCAT seeking the appointment of an administrator but was unable to obtain information on the capacity of Peter. Investigations revealed there was no record of Peter having seen a doctor and he was not known to any allied health professionals.

Generally the tribunal cannot appoint a decision maker unless the presumption of capacity has been rebutted. However, the strong anecdotal evidence collected by the Adult Guardian together with the provisions contained in the *Guardianship and Administration Act 2000* was sufficient for the tribunal to make an interim order appointing the Public Trustee of Queensland. The Public Trustee was able to quickly pay the debt and ensure that Peter continued to live in the home he loved.

This independent but collaborative approach demonstrates how the interests of vulnerable individuals can be protected through the substitute decision making regime.

QCAT in action: How financial management can result in better outcomes

Bill is 79 year old widower who lived in his own home. Since his retirement Bill has been a self funded retiree living off his superannuation and interest from his savings. When Bill was unable to fully care for himself, his family made a decision to place Bill in a residential facility. The majority of Bill's savings were used to pay the nursing home accommodation bond and Bill's home was sold and the funds placed in an allocated pension.

The administrator was not aware that Bill may now be entitled to a pension. It is a requirement of the tribunal that administrators lodge an account of their administration on an annual basis. These balances and checks ensure the interests of the adult are protected. Upon receipt of the annual accounts of administration, the tribunal's Financial Assessment Team requested the administrator approach Centrelink to determine if Bill was entitled to a pension.

Application by the administrator was made to Centrelink who approved a part pension to Bill. As demonstrated in this example, the lodgement of accounts of administration not only identifies cases where the administrator has breached their responsibilities but also assists administrators in achieving better outcomes for the adult.

Minor civil disputes

Minor civil disputes (MCDs) include:

- debts
- consumer and trader disputes
- property damage caused by a motor vehicle
- repairs to a defect in a motor vehicle
- disputes under the Dividing Fences Act 1953 (now repealed) and the new Neighbourhood Disputes Resolution Act 2011
- residential tenancy matters where a lessor is in dispute with a tenant.

In south-east Queensland, MCD hearings are conducted by QCAT adjudicators. In other regions, the hearings are conducted by Magistrates (QCAT members for the purposes of conducting MCD hearings).

MCDs are the largest jurisdiction of QCAT in terms of both lodgements (58 per cent) and enquiries (approximately 50 per cent).

Our year

Key achievements for the MCD division in 2011-12 include:

- 2011-12 has seen a 4 per cent increase in the clearance rate of MCDs
- successful introduction of the *Neighbourhood Dispute Resolution Act 2011* from 1 November 2011. Since the introduction of the NDR Act on 1 November 2011, the MCD division has dealt with 64 matters under this jurisdiction with the 73 per cent of these relating to fencing disputes
- introduction of Practice Direction 4 of 2011 to allow certain minor civil disputes to be listed directly for hearing rather than progress to mediation.

The MCD jurisdiction continues to deliver an accessible and just process for community justice by providing reasons for all decisions; providing inexpensive application fees and the ability to self represent to minimise costs; providing inexpensive and accessible avenues of appeal; and having access to mediation to resolve disputes without progressing to a hearing.

Making connections

In support of the MCD jurisdiction, the Client Services division continues to maintain strong links with the Magistrates Courts who deliver tribunal services outside the Brisbane QCAT registry to ensure a consistent QCAT experience across Queensland.

QCAT works closely with the Residential Tenancies Authority (RTA) to facilitate the distribution of rental bonds via a data-link facility to ensure quick and accurate disbursements of bonds.

Looking forward

The key focus for the MCD jurisdiction in 2012-13 includes:

- undertaking planning to support the implementation of a trial program to have suitably qualified and experienced Justices of the Peace (Magistrates Court) hear some minor civil dispute matters before QCAT
- a review of the minor civil dispute jurisdiction to identify areas for improvement, including forms, processes and information available to our clients
- continuous improvement of processing and case management processes to effectively manage a high volume of applications and maintain high level service delivery
- exploring expansion of electronic lodgement opportunities
- ongoing support and education for Magistrates Court staff throughout Queensland delivering QCAT services.

QCAT in action: How default decisions work

In May 2011, an accountancy firm provided services to Lei.

Lei did not pay the invoice issued by the firm and in June 2011, the firm lodged a minor debt application to recover \$2353.51 from Lei.

Lei was served with the application by a bailiff engaged by the firm, but she did not respond to the application within the 28 day time limit.

The firm lodged an application for a decision to be made in their favour because Lei has not responded (a default decision).

The tribunal granted a default decision ordering that Lei pay the firm \$2396.89 (including interest on the original amount claimed). This order was sent to both parties.

Once Lei received a copy of the order, she applied to have the decision set aside. The tribunal granted her request and a hearing was scheduled.

At the hearing, a consent order was made (parties agreed to the order) that Lei would pay the firm \$1915.77 within 28 days.

Operations Support

The Operations Support team consists of the hearing support, scheduling and transcription teams which assist the tribunal in delivering proceedings and delivering key services throughout Queensland.

Our year

In 2011-12 the Operations Support team:

- scheduled 15,976 proceedings (excluding minor civil disputes) throughout Queensland including mediations, compulsory conferences, directions hearings, expert conclaves and hearings (an increase of 21 per cent from 2010-11)
- processed 1471 requests for transcripts, reasons for decisions and audio recordings of proceedings (a 6 per cent increase from 2010-11)
- scheduled an additional 98 hearing days for minor civil dispute matters to address increased applications on some SEQ locations and the impact of a practice direction that directs that MCD matters under \$3,000 may proceed directly to a hearing without mediation.

The appointment of additional regional QCAT members in December 2011 increased QCAT's presence in regional Queensland to enable the team to effectively plan and schedule proceedings throughout Queensland.

Making connections

In 2011-12 the team visited Magistrates Court staff in Cairns, Mareeba, Atherton, Townsville, Bundaberg, Hervey Bay and Toowoomba to engage with court staff on efficient scheduling of QCAT matters.

Looking forward

The focus for 2011-12 includes:

- to review scheduling protocols when prioritising which QCAT matters to list and in which locations across regional Queensland to improve timeliness of matters progressing to hearing, and the early settlement of these matters within QCAT
- managing demand for hearing support, scheduling and transcription services to deliver timely and responsive services to clients and stakeholders
- reducing costs through alternative options for file access at hearings in regional Queensland.

Client Services

The Client Services team provides services through the Brisbane QCAT registry office including client enquiries and minor civil dispute (MCD) case management.

In an average month, the Client Services team receives 8,717 phone calls and assists with thousands more email and face-to-face enquires.

The focus for 2011-12 remains on consistent and timely service delivery and the ongoing development of client information materials to ensure community understanding of the role of the tribunal and its processes.

Making connections

Our stakeholders

QCAT engaged with government departments, statutory bodies, the legal community and community support and advocacy groups to ensure understanding of QCAT processes.

In 2011-12 QCAT registry staff, members and adjudicators undertook extensive engagement with stakeholders including the delivery of over 100 speaking engagements and presentations.

Stakeholder satisfaction research undertaken for the third time this year demonstrated an overall satisfaction level of 67 per cent – a 16 per cent improvement from 2009-10. The research reflected significant improvements in stakeholder perception of member and adjudicator professionalism and QCAT's accessibility and independence.

In 2011-12 QCAT will continue to engage with key stakeholders for the benefit of the Queensland community.

Our clients

With such a diverse range of jurisdictions and legislation to administer, every Queenslanders is potentially a QCAT client.

Research into QCAT client satisfaction was undertaken for the second time in 2012. The overall satisfaction rating of 71 per cent reflected a high level of satisfaction with QCAT client service regardless of satisfaction with case outcomes.

A client engagement strategy finalised in 2011-12 will be implemented in 2012-13 with a focus on client awareness of QCAT and assistance with self representation before the tribunal.

Interpreter and translation services

During 2011-12 QCAT provided 138 interpreter and document translation services for clients via the Queensland Interpreting and Translating Service and the Translating and Interpreting Service. These services are provided to clients free of charge.

The majority of services were required with the guardianship and administration for adults (25 per cent) and minor civil dispute jurisdictions (51 per cent). The majority of services were provided across Mandarin (22 per cent) and Korean (12 per cent).

Engaging with other tribunals

In 2011-12 alternative dispute resolution (ADR) training developed by QCAT members for tribunals was presented to the Victorian Civil and Administrative Tribunal (VCAT) and the State Administrative Tribunal of Western Australia.

Both the Victorian and Western Australian tribunals have been in operation for a much longer period than QCAT. This request for training recognises that QCAT is in the vanguard of the inventive and effective use of ADR in tribunals.

Supreme Court of Queensland Library

In 2011-12, the Supreme Court of Queensland Library published approximately 634 decisions of the tribunal, and approximately 298 decisions of the appeal tribunal.

The availability of these decisions is valuable for QCAT members and adjudicators, lawyers and clients of the tribunal. These decisions show what kinds of evidence and submissions QCAT considers in matters before it, and how QCAT interprets and applies legislation relating to different matters. These decisions also show the potential outcomes and costs of being a party to a matter before QCAT.

Support and advocacy

Community legal centres

Community legal centres throughout Queensland play a key role in supporting QCAT clients with advice, advocacy and representation.

Court Network

Court Network is an Australian not-for-profit court support service providing non-legal information, support and referral services to all persons attending court/tribunals. In 2011-12 Court Network Volunteers provided assistance to over 8500 QCAT Brisbane clients.

Queensland Public Interest Law Clearing House (QPILCH) – Self Representation Service

The QPILCH Self Representation Service provides free legal advice and assistance to existing and prospective parties in eligible QCAT jurisdictions including anti-discrimination, child protection, guardianship and administration, administrative review and QCAT appeals.

Tenants' Union of Queensland (TUQ)

QCAT hosts the TUQ to provide weekly workshops for QCAT clients in their Brisbane registry office to assist residential tenancy clients with applications, preparing for hearings, and learning more about their rights and responsibilities under the law.

Our complaints and feedback policy

We aim to process complaints through a fair, timely, easy to use and confidential process.

In 2011-12 the rate of complaints was 0.7 per cent of total applications. This is a positive result given that many clients are involved in adversarial proceedings and may not agree with the outcome if it is not in their favour.

Our governance

Risk management

QCAT complies with the Department of Justice and Attorney-General's Risk Management Policy which was endorsed by the Audit and Risk Management Committee in 2010.

Public Sector Ethics Act 1994

The Department of Justice and Attorney-General's code of conduct is based upon the ethics identified in the *Public Sector Ethics Act 1994* which are: respect for persons, integrity, respect for the law and system of government, diligence, economy and efficiency. QCAT staff undertake annual training in the code of conduct and ethical decision-making.

Boards and committees

Board of Management

The Board of Management consists of the President (chairperson), Deputy President, Executive Director, four senior members, the Principal Registrar and the Manager – Business Services. The Board addresses strategic direction, performance, resources, compliance, risk and accountability issues.

Rules committee

The Rules committee is established under the Act and consists of the President, the Deputy President, a full time ordinary member, a full time member who is not an Australian lawyer, an adjudicator, and other members the President has nominated. The Committee develops and reviews the rules under the Act, approve forms for use under the Act, and any other functions conferred on the Committee.

The Committee has approved various amendments to the rules, including an amendment required for the operation of the *Education and Care Services National Law (Queensland) Act 2011*. The Committee has also approved forms for use by the tribunal, including forms related to applications about trees and fences under the *Neighbourhood Disputes Resolution Act 2011*, and approved changes to existing forms. The Committee has also considered the tribunal's existing procedures and recommended changes when necessary.

Alternative Dispute Resolution committee

The Alternative Dispute Resolution (ADR) committee consists of the President, the Deputy President, two senior members, one member; and the Principal Registrar.

The committee works to ensure the tribunal encourages early and economical resolution of disputes including through ADR processes through coordinating ADR training for staff and members and promoting the effective use of ADR to increase the early resolution of matters.

Education, Training and Resources committee

The Education, Training and Resources committee consists of the President, Deputy President, a senior member, two ordinary members and other members as required. It was established to ensure that member and adjudicator proceedings skills and awareness of legislative developments remain current.

In 2011-12 the committee delivered an annual conference (held in March) and half-day per month of legislative and procedural training for members and adjudicators.

Local consultative committee

The Local consultative committee (LCC) consists of QCAT management and QCAT union member representatives. The committee meets quarterly to facilitate meaningful consultation on issues including organisational change, workload management, training, work life balance, sustainability and workforce management policies.

The LCC works in conjunction with the Department of Justice and Attorney-General consultative committee (DJAGCC).

Our financial performance

	Budget (\$m)	Actual (\$m)	Variance (\$m)
Income			
Appropriation	16.2	16.2	-
User charges	3.1	2.8	(0.3)
Grants and other contributions			
Total income	19.3	19.0	(0.3)
Expenses			
Staff employment costs	9.1	9.2	(0.1)
Member costs	5.9	5.8	0.1
Property costs	2.7	2.8	(0.1)
Overhead	1.6	1.2	0.4
Total operating expenses	19.3	19.0	0.3

Table 10: 2011-12 QCAT financial statement

Funding

QCAT's total income for 2011-12 was \$19.0m.

Expenditure

In 2011-12, QCAT's recurrent expenditure was \$19.0m.

2011–12 financial statements for QCAT

2011-12 audited financial statements for QCAT are published within the Department of Justice and Attorney-General's annual report 2011-12.

Glossary and abbreviations

Abbreviations and acronyms

ADR	alternative dispute resolution
CAD	Civil, Administrative and Disciplinary division
DRB	Dispute Resolution Branch – Department of Justice and Attorney-General
HuRD	Human Rights division
MCD	minor civil dispute
QCAT	Queensland Civil and Administrative Tribunal

Glossary

active case management	When QCAT members take a proactive role in the management of cases for example, listing the case for a compulsory conference, to ensure the case progresses steadily.
adversarial	A legal system or proceeding that involves conflicting parties or interests.
adjudicators	Legally qualified QCAT decision makers for minor civil disputes and other matters before the tribunal.
alternative dispute resolution	Resolution of a matter through mediation or conferencing rather than the adversarial process.
compulsory conference	A dispute resolution method used by the tribunal to mediate settlement, identify issues in dispute and make orders and directions.
directions	The tribunal has to the power to order parties to do certain things to streamline the progress of a matter before the tribunal, for example to file and exchange material.
directions hearing	Directions hearings may be conducted by a member, adjudicator or the Principal Registrar and aim to streamline matter progress.
enduring power of attorney	Legal document a person can prepare to give someone else the power to make personal or financial decisions on their behalf.
expert conclave	An expert conclave is a private meeting between experts in the same field of expertise, chaired by a member of the tribunal. Lawyers, advisers and clients are not permitted to attend the conclave.
impaired capacity	The inability of a person to go through the process of reaching a decision and putting it into effect based on three elements: <ul style="list-style-type: none"> • understanding the nature and effect of the decision • freely and voluntarily making a decision • communicating the decision in some way.
jurisdiction	The legislative power of the tribunal to hear and determine

	certain matters.
mediation	A dispute resolution method used for bringing about agreement or reconciliation between parties. This involves exploring possible agreement without an adversarial hearing. Mediations are conducted by an impartial dispute resolution professional.
member	Professionally qualified QCAT decision makers for disputes before the tribunal.
minor civil disputes	A claim for certain debts or disputes limited to \$25,000 or less.
sessional member	Professionally qualified QCAT decision makers for disputes before the tribunal employed on a sessional basis.
submissions	An outline of argument parties may submit to the tribunal based on the evidence that has been put before the tribunal.

Appendix 1 – Member appointments 2011-12

Name	Position	Appointment start date	Appointment end date	Notes
Susan Booth	Senior Member	1/12/2009	30/11/2014	Resigned 2/10/2011
Clare Endicott	Senior Member	1/12/2009	30/11/2014	
Kerrie O'Callaghan	Senior Member	1/01/2010	30/11/2014	
Richard Oliver	Senior Member	1/12/2009	30/11/2014	
Peta Stilgoe	Senior Member	3/01/2012	2/01/2017	
James Allen	Member	1/12/2009	30/11/2014	
Adrian Ashman	Member	1/12/2009	30/11/2014	
Elizabeth Benson-Stott	Member	1/12/2009	30/11/2014	
Bridget Cullen	Member	1/12/2009	30/11/2014	
Julie Ford	Member	1/12/2009	30/11/2014	
Susan Gardiner	Member	1/12/2009	30/11/2014	
Patricia Hanly	Member	1/12/2009	30/11/2014	
Michelle Howard	Member	1/12/2009	30/11/2014	
Ronald Joachim	Member	1/12/2009	30/11/2014	
Peta Stilgoe	Member	1/12/2009	2/01/2012	Appointed at Senior Member 3/01/2012
John Bertelsen	Adjudicator	1/12/2009	30/11/2014	
Kate Buxton	Adjudicator *	1/12/2009	30/11/2014	
Alexander Crawford	Adjudicator *	17/6/2011	30/11/2014	
Trevor Davern	Adjudicator	1/01/2010	31/12/2014	
Michael Howe	Adjudicator *	17/6/2011	30/11/2014	
Bevan Hughes	Adjudicator *	1/12/2011	30/11/2014	
Jeremy Gordon	Adjudicator *	1/12/2011	30/11/2014	
William LeMass	Adjudicator *	1/12/2009	30/11/2014	
Kevin O'Hanlon	Adjudicator	1/12/2011	30/11/2014	
Christine Trueman	Adjudicator	1/12/2009	30/11/2014	
Tammy Williams	Adjudicator *	11/6/2010	30/11/2014	
Allanah Aitken	Sessional Member	1/12/2009	30/11/2011	
Michele Alroe	Sessional Member	1/12/2009	30/11/2011	
Peter Apel	Sessional Member	12/11/2010	30/11/2014	
Margaret Arthur	Sessional Member	1/12/2009	30/11/2011	
Johanna Bakermans	Sessional Member	1/12/2009	30/11/2011	
Brydget Barker-Hudson	Sessional Member	1/12/2009	30/11/2011	
Kenneth Barlow	Sessional Member	1/12/2009	30/11/2014	
Sean Barry	Sessional Member	1/12/2009	30/11/2011	
Barbara Bayne	Sessional Member	1/12/2009	30/11/2014	

Name	Position	Appointment start date	Appointment end date	Notes
Philippa Beckinsale	Sessional Member	1/12/2009	30/11/2014	
Catherine Benson	Sessional Member	12/11/2010	30/11/2014	
Susan Bothmann	Sessional Member	1/12/2009	30/11/2011	
Jeffrey Bowles	Sessional Member	12/11/2010	30/11/2014	
The Hon Charles Brabazon	Sessional Member	1/11/2011	30/10/2014	
Thomas Bradley	Sessional Member	1/12/2009	30/11/2011	
Alexander Brands	Sessional Member	1/12/2009	30/11/2011	
Suzanne Brooks	Sessional Member	1/12/2009	30/11/2011	
Joanne Browne	Sessional Member	1/12/2009	30/11/2014	
Robert Bulley	Sessional Member	1/12/2009	30/11/2014	Deceased 4/3/2012
Simon Burgess	Sessional Member	1/12/2009	30/11/2011	
Susan Burke	Sessional Member	1/12/2011	30/11/2014	
Kate Buxton	Sessional Member *	17/06/2011	30/11/2014	
Gerald Byrne	Sessional Member	12/11/2010	30/11/2014	
John Carey	Sessional Member	12/11/2010	30/11/2014	
Annette Carrigan	Sessional Member	1/12/2009	30/11/2011	
Julia Casey	Sessional Member	1/12/2009	30/11/2014	
Sharon Christensen	Sessional Member	1/12/2009	30/11/2011	
Gregory Clarke	Sessional Member	1/12/2009	30/11/2011	
Leslie Clarkson	Sessional Member	1/12/2009	30/11/2014	
Roxanne Clifford	Sessional Member	1/12/2009	30/11/2014	
James Cockerill	Sessional Member	1/12/2009	30/11/2011	
Nigel Collings	Sessional Member	1/12/2009	30/11/2011	
Michael Conrad	Sessional Member	1/12/2009	30/11/2011	
Simon Coolican	Sessional Member	12/11/2010	30/11/2014	
Barry Cotterell	Sessional Member	1/12/2009	30/11/2014	
Thomas Cowan	Sessional Member	12/11/2010	30/11/2014	
Julie Cowdroy	Sessional Member	1/12/2009	30/11/2011	
Christopher Coyne	Sessional Member	1/12/2009	30/11/2011	
Alexander Crawford	Sessional Member *	01/12/2009	30/11/2014	
The Hon Keiran Cullinane	Sessional Member	1/11/2011	31/10/2014	
Beverley Day	Sessional Member	1/12/2009	30/11/2011	
Sandra Deane	Sessional Member	12/11/2010	30/11/2014	
Keith Dodds	Sessional Member	17/02/2012	16/02/2015	
Michelle Dooley	Sessional Member	1/12/2009	30/11/2014	
Deanne Drummond	Sessional Member	1/12/2011	30/11/2014	
Russell Duigan	Sessional Member	1/12/2009	30/11/2014	
Tracy Lee Fantin	Sessional Member	1/12/2009	30/11/2011	

Name	Position	Appointment start date	Appointment end date	Notes
Paul Favell	Sessional Member	1/12/2009	30/11/2014	
Penelope Feil	Sessional Member	1/12/2009	30/11/2014	
Jennifer Felton	Sessional Member	1/12/2009	30/11/2014	
Ann Fitzpatrick	Sessional Member	1/12/2009	30/11/2014	
Fiona Fitzpatrick	Sessional Member	1/12/2011	30/11/2014	
Anne Forbes	Sessional Member	1/12/2009	30/11/2011	
John Forbes	Sessional Member	1/12/2011	30/11/2014	
Colin Forrest	Sessional Member	1/12/2009	30/11/2011	
John Gallagher	Sessional Member	1/12/2009	30/11/2011	
Keith Geraghty	Sessional Member	1/12/2009	30/12/2011	
Pamela Goodman	Sessional Member	1/12/2009	30/11/2014	
Jeremy Gordon	Sessional Member *	1/12/2011	30/11/2014	
Jody Gosling	Sessional Member	1/12/2009	30/11/2011	
Robert Grant	Sessional Member	1/12/2009	30/11/2011	
Murray Green	Sessional Member	1/12/2011	30/11/2014	
Myrtle Green	Sessional Member	1/12/2009	30/11/2011	
Robert Gregory	Sessional Member	1/12/2009	30/11/2011	
Wendy Grigg	Sessional Member	12/11/2010	30/11/2014	
Catherine Heyworth-Smith	Sessional Member	1/12/2009	30/11/2011	
Judith Himstedt	Sessional Member	1/12/2009	30/11/2011	
Alison Holm	Sessional Member	1/12/2009	30/11/2011	
Susann Holzberger	Sessional Member	1/12/2009	30/11/2014	
Rosalind Hourigan	Sessional Member	1/12/2009	30/11/2011	
Michael Howe	Sessional Member *	12/11/2010	30/11/2014	
Bevan Hughes	Sessional Member *	1/12/2011	30/11/2014	
Elizabeth Hulin	Sessional Member	1/12/2009	30/11/2014	
Anne Jarrett	Sessional Member	1/12/2009	30/11/2011	
Nathan Jarro	Sessional Member	1/12/2009	30/11/2014	
Joanna Jenkins	Sessional Member	12/11/2010	30/11/2014	
The Hon John Jerrard	Sessional Member	1/11/2011	30/10/2014	
Lynette Johannessen	Sessional Member	1/12/2009	30/11/2011	
Mark Johnston	Sessional Member	1/12/2009	30/11/2014	
Christine Jones	Sessional Member	12/11/2010	30/11/2014	
Neil Judge	Sessional Member	1/12/2009	30/11/2014	
Sandra Kairl	Sessional Member	1/12/2009	30/11/2014	
Paul Kanowski	Sessional Member	1/12/2011	30/11/2014	
David King	Sessional Member	12/11/2010	30/11/2014	
Robert King-Scott	Sessional Member	12/11/2010	30/11/2014	

Name	Position	Appointment start date	Appointment end date	Notes
Peter Krebs	Sessional Member	12/11/2010	30/11/2014	
Rosemary Kyburz	Sessional Member	1/12/2009	30/11/2011	
Desmond Lang	Sessional Member	1/12/2011	30/11/2014	
William LeMass	Sessional Member *	17/06/2011	30/11/2014	
David Lewis	Sessional Member	1/12/2011	30/11/2014	
Gregory Lewis	Sessional Member	1/12/2009	30/11/2011	
David Liddell	Sessional Member	1/12/2009	30/11/2011	
Joanna Lindgren	Sessional Member	12/11/2010	30/11/2014	
Katherine Lindsay	Sessional Member	1/12/2011	30/11/2014	
Janice Logan	Sessional Member	1/12/2009	30/11/2011	
Stuart MacDonald	Sessional Member	1/12/2009	30/11/2014	
Malcolm Macrae	Sessional Member	1/12/2009	30/11/2014	
Elena Marchetti	Sessional Member	1/12/2009	30/11/2011	
Donald McBryde	Sessional Member	1/12/2009	30/11/2014	
Michael McCarthy	Sessional Member	1/12/2009	30/11/2014	
Peter McDermott	Sessional Member	11/06/2010	30/11/2014	
Louise McDonald	Sessional Member	1/12/2009	30/11/2014	
Paul McGrath	Sessional Member	1/12/2009	30/11/2011	
Margaret McLennan	Sessional Member	1/12/2009	30/11/2014	
Leslie McNamara	Sessional Member	1/12/2009	30/11/2011	
John Milburn	Sessional Member	1/12/2011	30/11/2014	
Brockwell Miller	Sessional Member	1/12/2009	30/11/2011	
Sharon Mills	Sessional Member	1/12/2009	30/11/2014	
Elissa Morriss	Sessional Member	1/12/2009	30/11/2014	
Gwenn Murray	Sessional Member	1/12/2009	30/11/2014	
Fay O'Donnell	Sessional Member	1/12/2009	30/11/2011	
Robyn Oliver	Sessional Member	12/11/2010	30/11/2014	
Lisa O'Neill	Sessional Member	1/12/2009	30/11/2011	
Maureen O'Regan	Sessional Member	1/12/2009	30/12/2011	
Marjorie Pagani	Sessional Member	1/12/2009	30/11/2011	
David Paxton	Sessional Member	12/11/2010	30/11/2014	
Louise Pearce	Sessional Member	12/11/2010	30/11/2014	
Dianne Pendergast	Sessional Member	1/12/2011	30/11/2014	
Wayne Pennell	Sessional Member	12/11/2010	30/11/2014	
Phillip Pennington	Sessional Member	1/12/2009	30/11/2011	Resigned 18/08/2011
Katina Perren	Sessional Member	1/12/2011	30/11/2014	
Mark Plunkett	Sessional Member	12/11/2010	30/11/2014	
Graham Quinlivan	Sessional Member	1/12/2009	30/11/2014	
Karyn Reardon	Sessional Member	1/12/2009	30/11/2011	

Name	Position	Appointment start date	Appointment end date	Notes
Judith Reid	Sessional Member	1/12/2009	30/11/2011	
Kim Richards	Sessional Member	1/12/2009	30/11/2011	
Peter Richards	Sessional Member	1/12/2009	30/11/2014	
Eleanor Robertson	Sessional Member	1/12/2009	30/11/2011	
Bernadette Rogers	Sessional Member	1/12/2011	30/11/2014	
Christine Roney	Sessional Member	1/12/2011	30/11/2014	
Peter Roney	Sessional Member	1/12/2009	30/11/2014	
Keta Roseby	Sessional Member	12/11/2010	30/11/2014	
Richard Roylance	Sessional Member	1/12/2009	30/11/2014	
Virginia Ryan	Sessional Member	1/12/2011	30/11/2014	
Katherine Schmider	Sessional Member	1/12/2009	30/11/2014	
Stephen Sheaffe	Sessional Member	1/12/2009	30/11/2011	
Anthony Sidwell	Sessional Member	1/12/2011	30/11/2014	
Grant Sommerville	Sessional Member	1/12/2009	30/11/2011	
Glenice Spender	Sessional Member	1/12/2009	30/11/2011	
Rosemary Stafford	Sessional Member	1/12/2009	30/11/2014	
Stephen Stathis	Sessional Member	1/12/2009	30/11/2011	
Susan Sullivan	Sessional Member	1/12/2011	30/11/2014	
Aaron Suthers	Sessional Member	1/12/2009	30/11/2014	
Andrew Swindells	Sessional Member	1/12/2009	30/11/2011	
John Tanzer	Sessional Member	12/11/2010	30/11/2014	
Ian Thomas	Sessional Member	1/12/2009	30/11/2011	
The Hon James Thomas	Sessional Member	1/12/2011	30/11/2014	
Diane Turner	Sessional Member	12/11/2010	30/11/2014	
Peter Walker	Sessional Member	12/11/2010	30/11/2014	
Margaret Watson	Sessional Member	1/12/2009	30/11/2011	
Kenneth Watson	Sessional Member	1/12/2009	30/11/2011	
Shirley Watters	Sessional Member	1/12/2009	30/11/2014	
Ian Wells	Sessional Member	1/12/2009	30/11/2014	
Robert Wensley	Sessional Member	1/12/2009	30/11/2011	
James White	Sessional Member	1/12/2011	30/11/2014	
Adrian Williams	Sessional Member	1/12/2009	30/11/2011	
Andrew Williams	Sessional Member	12/11/2010	30/11/2014	
Tammy Williams	Sessional Member *	1/12/2009	30/11/2014	
Lindy Willmott	Sessional Member	1/12/2009	30/11/2011	
Elizabeth Wilson	Sessional Member	1/12/2009	30/11/2011	
Jennifer Wiltshire	Sessional Member	1/12/2009	30/11/2011	
Carolyn Windsor	Sessional Member	1/12/2011	30/11/2014	
Paul Wonnocott	Sessional Member	1/12/2011	30/11/2014	

Name	Position	Appointment start date	Appointment end date	Notes
Michael Wood	Sessional Member	1/12/2009	30/11/2014	
Peter Wulf	Sessional Member	1/12/2009	30/11/2011	

* Appointed concurrently as a sessional member and part-time adjudicator.